

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

JOE ANDREW SALAZAR,

Plaintiff,

v.

HTC CORPORATION,

Defendant.

No. 2:16-CV-01096-JRG-RSP

**SEVENTH AMENDED DOCKET CONTROL ORDER**

Having considered the parties' Joint Motion to Amend Sixth Docket Control Order [Dkt. # 183], the Court **GRANTS** the motion and **ORDERS** the following schedule of deadlines in effect.

<b>Current Deadline</b>	<b>New Deadline</b>	
May 14, 2018		*Jury Selection – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Roy Payne
April 16, 2018		*Pretrial Conference – 9:00 a.m. in <b>Marshall, Texas</b> before Judge Roy Payne
March 30, 2018		*Notify Court of Agreements Reached During Meet and Confer  The parties are ordered to meet and confer on any outstanding objections or motions in <i>limine</i> . The parties shall advise the Court of any agreements reached no later than 1:00 p.m. three (3) business days before the pretrial conference.
March 28, 2018		*File Joint Pretrial Order, Joint Proposed Jury Instructions and Form of the Verdict, Responses to Motions in <i>Limine</i> , Updated Exhibit Lists, Updated Witness Lists, and Updated Deposition Designations.

March 21, 2018		*File Notice of Request for Daily Transcript or Real Time Reporting.  If a daily transcript or real time reporting of court proceedings is requested for trial, the party or parties making said request shall file a notice with the Court and e-mail the Court Reporter, Shelly Holmes, at shelly_holmes@txed.uscourts.gov.
March 14, 2018	March 19, 2018	File Motions <i>in Limine</i>  The parties shall limit their motions <i>in limine</i> to those issues that if improperly introduced at trial would be so prejudicial that the Court could not alleviate the prejudice with appropriate instructions to the jury.
March 14, 2018		Serve Objections to Rebuttal Pretrial Disclosures

(\*) indicates a deadline that cannot be changed without showing good cause. Good cause is not shown merely by indicating that parties agree that the deadline should be changed.

### **ADDITIONAL REQUIREMENTS**

**Motions for Continuance:** The following excuses will not warrant a continuance nor justify a failure to comply with the discovery deadline: (a) The fact that there are motions for summary judgment or motions to dismiss pending; (b) The fact that one or more of the attorneys is set for trial in another court on the same day, unless the other setting was made prior to the date of this order or was made as a special provision for the parties in the other case; (c) The failure to complete discovery prior to trial, unless the parties can demonstrate that it was impossible to complete discovery despite their good faith effort to do so.

**Amendments to the Docket Control Order (“DCO”):** Any motion to alter any date on the DCO shall take the form of a motion to amend the DCO. The motion to amend the DCO shall include a proposed order that lists all of the remaining dates in one column (as above) and the proposed changes to each date in an additional adjacent column (if there is no change for a date the proposed date column should remain blank or indicate that it is unchanged). In other words, the DCO in the proposed order should be complete such that one can clearly see all the remaining deadlines and the changes, if any, to those deadlines, rather than needing to also refer to an earlier version of the DCO.

**Mar 16, 2018**

  
 ROY S. PAYNE  
 UNITED STATES MAGISTRATE JUDGE